

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION

| | |
|---------------------|--|
| Inventor(s): | Kexin XU, Yiwen MA and Renda WANG |
| Application Number: | 10/532,669 |
| Filing Date: | April 26, 2005 |
| Entitled: | A COMPOSITE SPECTRAL MEASUREMENT METHOD AND ITS SPECTRAL DETECTION INSTRUMENT |

As the below-named inventors, we declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their names.

We believe that we are the original, first, and joint inventors of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**A COMPOSITE SPECTRAL MEASUREMENT METHOD
AND ITS SPECTRAL DETECTION INSTRUMENT**

☐ is attached hereto.

☒ was filed on April 26, 2005 as Application Serial No. 10/532,669
and was amended on _____ (if applicable).

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendments referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)–(d) or (f), or § 365(b) of any foreign application(s) for patent or inventor's rights certificate(s), or 365(a) of any PCT international application that designated at least one country other than the United States of America, listed below and have also identified below by checking the box corresponding to any foreign application for patent, inventor's rights certificate(s), or corresponding to any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date | Priority Claimed | |
|-------------------------------------|---------|---------------------|-------------------------------------|--------------------------|
| | | | Yes | No |
| 02146704.8 | China | 4 November 2002 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| PCT/CN2003/000820 | PCT | 25 September 2003 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

We hereby claim priority benefits under 35 U.S.C. § 119(e) of any United States Provisional application(s) listed below:

| Application Number(s) | Filing Date |
|-----------------------|-------------|
| | |
| | |

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, as listed below, and insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

| Country | Application Number(s) | Filing Date | Status |
|---------|-----------------------|-------------------|---------|
| PCT | PCT/CN2003/000820 | 25 September 2003 | pending |
| | | | |

We hereby declare that all statements made herein of our own knowledge are true; all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and may jeopardize the validity of the application or any patent issuing thereon.

The attorneys of record in said application for patent are hereby authorized and requested by the undersigned to insert in this Declaration the date and application number thereof in the places provided therefor.

Name of Sole or First Inventor: Kexin XU

Inventor's Signature: Xu Kexin

Date: May 30, 2005

Residential Address: Room 1606, Part A, Times Plaza, Anshan West Road,

Nankai District, Tianjin 300192, P.R. China CN

Citizenship: China

Mailing Address: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

Name of Second Inventor:

Yiwen MA

Inventor's Signature:

Yiwenma

Date:

30 May 2005

Residential Address:

College of Precision Instrument and Opto-electronic
Engineering, Tianjin University, 300072, P.R. China

Citizenship:

China

CMX

Mailing Address:

Name of Third Inventor:

Renda WANG

Inventor's Signature:

Renda Wang

Date:

2005.5.30

Residential Address:

Room 1606, Part A, Times Plaza, Anshan West Road,
Nankai District, Tianjin 300192, P.R. China

CMX

Citizenship:

China

Mailing Address:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. National Patent Application of:
Kexin XU, Yiwen MA and Renda WANG
Serial No: 10/532,669
Filed: April 26, 2005
From PCT/CN2003/000820 – Filed: 25 September
For: **A COMPOSITE SPECTRAL MEASUREMENT
METHOD AND ITS SPECTRAL DETECTION
INSTRUMENT**

Examiner:

Art Unit:

POWER OF ATTORNEY

We hereby appoint:

Practitioners associated with the **Customer Number 23424** as my attorney(s) or agent(s) to prosecute the application identified above and to transact all business in the United States Patent and Trademark Office connected therewith.

- ☒ Please send correspondence and direct telephone calls for the above-identified application to the address associated with the above-identified Customer Number, and specifically to the individual listed below:

Name: Monique A. Morneault

OR

Please change the correspondence address for the above-identified application to:

- ☐ the address associated with Customer Number

23424**OR**

- ☐ Firm or Individual Name:

Address:

Address:

City:

State:

Zip:

Country:

Telephone:

Fax:

I am the:

- ☐ Applicant/Inventor.
☒ Assignee of record of the entire interest. See 37 C.F.R. § 3.71
Statement under 37 C.F.R. § 3.73(b) is enclosed

SIGNATURE of Applicant or Assignee of Record

Name:

/ Kexin XU

Signature:

Xu Kexin

Date:

May 30, 2005

Phone:

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*

- ☐ *Total of _____ Forms are submitted.

#7
Rec'd PCT/PTO 12 DEC 2005

Attorney Docket No. 7605 P 002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: Kexin XU, Yiwen MA and Renda WANG

Application No./Patent No.: 10/532,669 Filed/Issue Date: April 26, 2005

**A COMPOSITE SPECTRAL MEASUREMENT METHOD
AND ITS SPECTRAL DETECTION INSTRUMENT**

Entitled:

Tianjin Sunshine Optics Technologies
Co., Ltd.

a Chinese corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____ Frame _____ or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

- ☐ Additional documents on the chain of title are listed on a supplemental sheet:

- ☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 C.F.R. Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

May 30, 2005
Date

Telephone number

Xu Kexin Kexin XU
Typed or printed name
Xu Kexin
Signature
President President
Title

ASSIGNMENTApplication No. 10/532,669Filing Date: April 26, 2005

IN CONSIDERATION of good and valuable considerations, the receipt of which is hereby acknowledged, the entire right, title and interest in the invention or improvements of the undersigned in a "A COMPOSITE SPECTRAL MEASUREMENT METHOD AND ITS SPECTRAL DETECTION INSTRUMENT" and in the application for Letters Patent of the United States therefor, executed by the undersigned concurrently herewith and in any reissue or extension of any Letters Patent that may be granted upon said application are hereby assigned by the undersigned to Tianjin Sunshine Optics Technologies Co., Ltd., a Chinese corporation, and the successors, legal representatives and assigns of Tianjin Sunshine Optics Technologies Co., Ltd., (hereinafter collectively called said Assignee), and the Commissioner of Patents is hereby authorized and requested by the undersigned to issue said Letters Patent to said Assignee.

FOR SAID CONSIDERATIONS it is hereby agreed by the undersigned, upon the request of said Assignee, to execute any necessary and proper oaths or affidavits relating to said application or required for the filing or prosecution of any divisional, continuation or continuation-in-part application thereof or for the filing or prosecution of any application for the reissue or extension of any Letters Patent that may be granted on said invention or improvements that said Assignee may deem necessary or expedient, and for the said consideration it is further agreed by the undersigned, upon the request of said Assignee, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof, becoming involved in interference, to cooperate to the best of the ability of the undersigned with said Assignee in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and further to perform, upon such request, any and all affirmative acts to obtain said Letters Patent and vest all rights therein hereby conveyed in the said Assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this Assignment and sale had not been made. And for the said considerations the entire right, title and interest in said invention or improvements, including all priority rights, and the right to claim priority rights and the privileges and benefits thereof, including those under the International Convention, and all other conventions, and the right to file applications for patent in said Assignee's own name for said invention or improvements in each and every country of the world are hereby Assigned and granted by the undersigned to said Assignee. It is further agreed by the undersigned, upon the request of said Assignee, to execute any and all documents that shall be required of the undersigned to be executed in connection with any and all applications for foreign letters patent therefor, including the prosecution thereof, and to execute any and all documents necessary to vest title in said foreign applications and patents in said Assignee. The attorneys of record in said application for patent are hereby authorized and requested by the undersigned to insert in this Assignment the date and Serial Number thereof in the places provided therefor.

| | |
|----------------------------|----------------------------|
| Date: <u>May 30, 2005</u> | Date: <u>30 May 2005</u> |
| Signature: <u>Xu Kexin</u> | Signature: <u>Yiwen MA</u> |
| Name: Kexin XU, Inventor | Name: Yiwen MA, Inventor |
| <u>Li cai</u> | <u>Li cai</u> |
| Witness Li CAI | Witness Li CAI |

Date: 2005-5-30

Signature:

Renda Wang
Name: Renda WANG, Inventor

Li Cai
Witness Li CAI